

RULES
OF
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF SOLID WASTE MANAGEMENT
CHAPTER 1200-1-11 (EQUIVALENT FEDERAL REGS. CITATION)
HAZARDOUS WASTE MANAGEMENT

Revision “x”

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STORAGE, AND DISPOSAL FACILITIES [40 CFR 270]

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Explanatory Notes

These Tennessee Rules are patterned closely after Federal Regulations promulgated by the U.S. Environmental Protection Agency (EPA) at Title 40, Parts 260 through 270, 273, and 279, of the Code of Federal Regulations (CFR). In order to assist the user, we have added to the Table of Contents a parenthetical citation to each Rule’s entry which contains the corresponding (if any) EPA Regulation’s analog. That feature is enhanced to indicate the following:

1. When the 40 CFR citation is followed by the word “reserved”:
 - a) Written as “RESERVED” in capital letters, the regulation is reserved in the CFR, but
 - b) Written as “Reserved” in upper- and lower-case letters, the regulation exists in the CFR but is not adopted into the State regulations. Enforcement of such regulations is left to the discretion of EPA.

The following are probably the most generally-important deliberate differences between the State rules and the EPA regulations, although there are several others of lesser or more-specific significance:

1. Rule 1200-1-11-.02(1)(d)1(xiii) and (xiv) clarifies the regulatory status of “Petroleum Tank Bottom Waters” and details conditions for them not to be considered a solid waste for purposes of Rule 1200-1-11-.02 Identification and Listing of Hazardous Waste;
2. Tennessee imposes more stringent generator notification and annual reporting requirements in Rules 1200-1-11-.03(2) and (5)(b) and their applicability to generators otherwise exempt from these (Rule 1200-1-11-.02(1)(d)3);
3. Tennessee imposes transporter permitting requirements in Rule 1200-1-11-.04(2) and the associated requirement for generators to utilize only transporters so permitted (Rule 1200-1-11-.03(1)(c)3);

4. Rule 1200-1-11-.06(8)(p)16 contains three combined Hazardous and Solid Waste Financial Test instruments;
5. Tennessee has fee requirements in Rule 1200-1-11-.08, which are applicable to generators, transporters, and operators of treatment, storage, and disposal facilities;
6. Rule 1200-1-11-.11, Standards for the Management of Used Oil, contains regulations based on requirements in Tennessee's Used Oil Collection Act of 1993 in addition to requirements contained in federal Rule 40 CFR 279;
7. Rule 1200-1-11-.12 Universal Waste includes mercury-containing lamps and imposes Standards for the Owner or Operator of a "Universal Waste Mercury-containing Lamp Crusher System" in paragraph (8).

KEY

EFFECTIVE DATES OF RULEMAKINGS

In compilations of the regulations containing rulemakings "a" through "k", the following symbols found in the right margins throughout the text of the regulations referred to specific effective dates of amendments to the regulations. A symbol at a title for a paragraph, subparagraph, item, etc., indicated amendment of the total under that specific title. A symbol at a blank line indicated a deletion. With the compilation containing amendments in rulemaking "l" et seq., these letters no longer appear in the margins.

Emergency Rules	Effective October 31, 1980
Final Rule	Effective March 2, 1981
a	Effective March 2, 1983
b	Effective December 29, 1984
c	Effective February 2, 1986
d	Repromulgated Effective February 2, 1986
e	Effective January 4, 1988
f	Effective December 4, 1988
g	Effective February 26, 1989
h	Effective November 26, 1989
i	Effective February 28, 1990
j	Effective April 19, 1991
k	Effective February 14, 1992
l	Effective December 28, 1992 (Rule 1200-1-11-.08)
m	Effective May 3, 1993
n	Effective February 13, 1994
o	Effective August 19, 1995
p	Effective April 14, 1997
q	Effective November 11, 1997
r	Effective September 12, 1998
s-1	Effective March 6, 1999
s	Effective July 19, 1999

t	Effective November 28, 2000
u-1	Effective February 5, 2001
u	Effective October 17, 2001
v	Effective July 22, 2002
v-1	Effective October 8, 2002
w	Effective January 12, 2004
x	Effective September 6, 2004